

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DANIEL WEST, ROMAINE CLARKE, RYON MORGAN,  
and SAADALA ABOULESSAN, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

-v-

LASERSHIP, INC., SO SURE TRANSPORTS INC., STEVEN  
TRUCKING, INC., RICHARD GRACE AND RICHARD LLC,  
and UNKNOWN SUBCONTRACTOR COMPANIES A-Z,

Defendants.

CIVIL ACTION NO.: 21 Civ. 5382 (LTS) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

On September 7, 2021, Plaintiffs filed their first amended complaint against Defendants LaserShip, Inc. (“LaserShip”), So Sure Transports, Inc. (“So Sure”), Steven Trucking, Inc. (“Steven Trucking”), Grace and Richard LLC (“Grace”), and Unknown Subcontractor Companies A–Z. (ECF No. 22 (the “FAC)). On September 17, 2021, LaserShip filed a motion to dismiss the FAC. (ECF No. 25 (the “Motion”)). On November 9, 2021, Plaintiffs served So Sure and Grace with the Summons and FAC, with those defendants’ answers to the FAC due by November 30, 2021. (ECF Nos. 44–45). On January 10, 2023, LaserShip withdrew the Motion. (ECF No. 55). To date, (i) LaserShip has not filed an answer to the FAC, (ii) So Sure and Grace have not responded to the FAC or otherwise appeared, and (iii) Plaintiffs have not filed proof that they served Steven Trucking.

Accordingly, by **March 1, 2023**:

1. LaserShip shall file an answer to the FAC;

2. Plaintiffs shall request from the Clerk of Court certificates of default as to So Sure and Grace; and
3. Plaintiffs shall show cause why their claims against Steven Trucking should not be dismissed under Rule 4(m) of the Federal Rules of Civil Procedure for failure to effect timely service, or Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. Such showing shall be made by affidavit or declaration.

Dated: New York, New York  
February 15, 2023

SO ORDERED.

  
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SARAH L. CAVE  
United States Magistrate Judge